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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,542	09/18/2003	Thomas J. Foth	F-712	4280

7590 08/22/2007
Pitney Bowes Inc.
Intellectual Property & Technology Law Department
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Shelton, CT 06484

EXAMINER

CARTER, AARON W

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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08/22/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/664,542	Applicant(s) FOTH ET AL.	
	Examiner Aaron W. Carter	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 22 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9-20, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 5, 8 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/13/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Invention I in the reply filed on 6/29/07 is acknowledged.

Claim Rejections - 35 USC § 112

2. Claims 3 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "said content" in line 3. There is insufficient antecedent basis for this limitation in the claim. The Examiner will treat the claim as though it depends upon claim 2, instead of claim 1, until otherwise notified.

Claim 24 recites the limitation "the center" in line 1. There is insufficient antecedent basis for this limitation in the claim. The Examiner will treat the claim as though it depends upon claim 23, instead of claim 22, until otherwise notified.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 6, 7, 9, 11, 13-20, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,499,665 to Meunier et al. ("Meunier") in view of USPN 5,287,414 to Foster.

As to claim 1, Meunier discloses a system for monitoring objects at a plurality of locations, comprising:

A plurality of cameras, including at least one of the cameras at each one of the locations, wherein at least one of the cameras is positioned to view at least some of the objects (*column 7, lines 46-52, wherein the edge reader corresponds to the camera which may be located on desktops or individual units corresponding to a plurality of cameras*);

A unique identifier on or in each respective one of the objects, for being viewed by at least one of the cameras (*column 7, lines 34-45, wherein the edge code/identifier corresponds to the unique identifier*);

A center having receiving means to receive monitor signals from the plurality of cameras regarding the unique identifiers (*column 7, lines 54-59, wherein the computer or network corresponds to the center*);

Wherein the center also has recording means for recording the locations of sightings of each of the unique identifiers (*column 7, lines 59-60, column 9, line 52-61 and column 10, lines*

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62-66, wherein the location information and other association information may be associated with the edge code in memory).

Meunier does not disclose expressly that wherein the center has a recording means for recording times of sightings of each of the unique identifiers.

However, Foster discloses a system for monitoring objects at a plurality of locations, comprising:

A plurality of scanners, including at least one of the scanners at each one of the locations, wherein at least one of the scanners is positioned to view at least some of the objects (*column 2, line 59 – column 3, line 22 and column 5, lines 45-50*)

A unique identifier on or in each respective one of the objects, for being viewed by at least one of the cameras (*column 2, lines 59-64*);

A center having receiving means to receive monitor signals from the plurality of cameras regarding the unique identifiers (*column 3, lines 40-51*);

Wherein the center also has recording means for recording times and the locations of sightings of each of the unique identifiers (*column 5, lines 4-13*).

Meunier & Foster are combinable because they are from the same art of image processing specifically document storage and retrieval.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to included recording the times of sightings of each unique identifier, as taught by Foster, along with the location information of sighting of each unique identifier, as disclosed by Meunier.

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The suggestion/motivation for doing so would have been to provide a object locating and tracking system that allows instant locating of any object within the system, wherein location information is automatically entered into the system without user effort (Foster, column 1, lines 59-65).

Therefore, it would have been obvious to combine Meunier with Foster to obtain the invention as specified in claim 1.

As to claim 2, the combination of Meunier and Foster disclose the system of claim 1, wherein a plurality of the objects are paper items, and the cameras are also for viewing content on the paper items, and for sending said content to the center for recordation in coordination with the respective unique identifiers (*Meunier, column 8, lines 6-23, wherein the sheets correspond to paper items and scanning the sheet to record information from the surface to create a digital file corresponds to viewing the content and sending the content to the center for recordation*), and wherein said content recorded at the center is searchable by users (*Meunier, column 8, lines 25-34, wherein the edge code can be used to search for digital content recorded at the center*).

As to claim 3, the combination of Meunier and Foster disclose the system of claim 2, wherein each object comprises at least one paper, envelope cardboard item, or file, and wherein the center is also for performing character recognition on said content (*Foster, column 2, lines 45-64*)

As to claim 4, the combination of Meunier and Foster disclose the system of claim 1, wherein the unique identifiers utilize an ink that normally is substantially invisible to humans (*Meunier, column 7, lines 34-37*).

As to claim 6, the combination of Meunier and Foster disclose the system of claim 2, wherein the unique identifiers comprise luminescent material, and wherein at least part of said content is printed or written using an ink having luminescent properties substantially similar to luminescent properties of the luminescent material (*Meunier, column 7, lines 33-45*).

As to claim 7, the combination of Meunier and Foster disclose the system of claim 1, wherein each of the cameras is a digital camera including an infrared or ultraviolet flash, for capturing images at regular intervals using the flash (*Meunier, column 9, lines 36-39*);

Wherein the unique identifiers comprise material that is invisible to humans at least between the flashes (*Meunier, column 9, lines 36-39*); and

Wherein the unique identifiers emit light in a certain range of the spectrum when exposed to the flash (*Meunier, column 9, lines 36-39*).

As to claim 9, the combination of Meunier and Foster disclose the system of claim 1, wherein the objects at least one of the locations include drawers of a file cabinet (*Foster, column 3, lines 4-19*);

Wherein the cameras are also for detecting use of the drawers (*Foster, column 3, line 62 – column 4, line 27*); and

Wherein the cameras are situated so that the cameras of at most one location can view one of the unique identifiers at a particular time (*Foster, column 3, line 62 – column 4, line 2*).

As to claim 11, the combination of Meunier and Foster disclose the system of claim 1, wherein the center is for user access via at least one computer, and wherein the center is for providing data regarding particular sets of the times and the locations at which a particular one of the unique identifiers was sighted, and also for providing data about other unique identifiers that were also sighted at the particular sets of times and the locations (*Meunier, column 11, lines 6-20 and Foster, column 4, lines 28-56*).

As to claim 13, the combination of Meunier and Foster discloses the system of claim 1, further comprising an incoming object station, for applying incoming unique identifiers to at least some incoming objects, and furthermore for reporting to the center the incoming unique identifiers with corresponding information about the incoming objects (*Meunier, column 7, lines 40-60*).

As to claim 14, the combination of Meunier and Foster discloses the system of claim 1, further comprising at least one paper processing device for reporting to the center electronic images of paper items being processed, and for reporting the unique identifiers of the paper items (*Meunier, column 8, lines 6-24*).

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As to claim 15, the combination of Meunier and Foster discloses the system of claim 1, wherein the paper processing device is a printer, sorter, copier or facsimile machine (*Meunier, column 7, lines 46-50 and column 8, lines 6-24*).

As to claim 16, the combination of Meunier and Foster disclose the system of claim 13, wherein the incoming object station further comprises determining means for determining whether incoming material already includes incoming identifiers, and if so determining whether at least some of the incoming identifiers are adequate for use in-house (*Meunier, column 9, lines 36-51*)

As to claim 17, the combination of Meunier and Foster discloses the system of claim 13, wherein the incoming object station further comprises determining means for determining whether incoming material already includes incoming identifiers, and for determining whether the incoming identifiers indicate at least one source from which the incoming material came (*Meunier, column 9, lines 36-50*).

As to claim 18, the combination of Meunier and Foster discloses the system of claim 17, wherein the determining means is also for determining whether the at least one source is self-consistent with other indications in the incoming material as to the source (*Meunier, column 9, lines 36-51*)

As to claim 19, please refer to the rejection of claim 1 above.

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As to claim 20, please refer to the rejection of claim 2 above.

As to claim 23, please refer to the rejection of claim 1 above.

As to claim 24, please refer to the rejection of claim 2 above.

5. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Meunier and Foster in view of US 2005/0062603 to Fuerst et al. ("Fuerst").

As to claim 10, the combination of Meunier and Foster discloses the system of claim 9.

The combination of Meunier and Foster does not disclose expressly wherein a person who accesses the file cabinet is equipped with a radio-frequency identification (RFID) tag having an RFID signal that is reported to the center.

Fuerst discloses a system for monitoring objects at a plurality of locations wherein a person who accesses the file cabinet is equipped with a radio-frequency identification (RFID) tag having an RFID signal that is reported to the center (paragraphs 14 and 20).

Meunier, Foster & Fuerst are combinable because they are from the same art of object tracking.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the process of equipping a person with a RFID tag and reporting their access to a file cabinet, as taught by Fuerst, with the system for monitoring objects disclosed by the combination of Meunier and Foster.

The suggestion/motivation for doing so would have been to provide secure record storage and retrieval system (Fuerst, paragraph 11).

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Therefore, it would have been obvious to combine Meunier and Foster with Fuerst to obtain the invention as specified in claim 10.

As to claim 12, the combination of Meunier, Foster and Fuerst disclose the system of claim 10, wherein the center is for user access via at least one computer, and wherein the center is for providing data regarding particular sets of times and locations at which a particular one of the unique identifiers was sighted (*Meunier, column 11, lines 6-20 and Foster, column 4, lines 28-56*) and also for providing relevant radio-frequency identification data (*Fuerst, paragraph 22*).

Allowable Subject Matter

6. Claims 5, 8, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

USPN 5,455,410 to Schneider discloses a process of object monitoring.

USPN 6,554,188 to Johnson et al. discloses a process of object monitoring.

USPN 6,860,422 to Hull et al. discloses a process of object monitoring.

US 2004/0079796 to Hull et al. discloses a process of object monitoring.

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USPN 6,260,049 to Fitzgerald et al. discloses a process of object monitoring.

US 2001/0053981 to Wyssen discloses a process of object monitoring.

USPN 4,457,016 to Pfeffer discloses a process of object monitoring.

USPN 6,744,936 to Irons et al. discloses a process of object monitoring.

USPN 6,775,422 to Altman discloses a process of object monitoring.

US 2006/0028689 to Perry et al. discloses a process of object monitoring.

USPN 6,628,412 to Jeran et al. discloses a process of object monitoring.

US 2004/0027604 to Jeran et al. discloses a process of object monitoring.

US 2003/0095186 to Aman et al. discloses a process of object monitoring.

US 6,972,787 to Allen et al. discloses a process of object monitoring.

USPN 6,644,764 to Stephens, Jr. discloses a process of object monitoring.

US 2002/0063744 to Stephens, Jr. discloses a process of object monitoring.

USPN 6,933,849 to Sawyer discloses a process of object monitoring.

US 2004/0008114 to Sawyer discloses a process of object monitoring.

US 2001/0000019 to Bowers et al. discloses a process of object monitoring.

USPN 5,963,134 to Bowers et al. discloses a process of object monitoring.

USPN 6,195,006 to Bowers et al. discloses a process of object monitoring.

US 2004/0263335 to Molnar discloses a process of object monitoring.

USPN 5,936,527 to Isaacman et al. discloses a process of object monitoring.

USPN 5,977,875 to Lin et al. discloses a process of object monitoring.

USPN 6,333,690 to Nelson et al. discloses a process of object monitoring.

USPN 6,653,937 to Nelson et al. discloses a process of object monitoring.

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USPN 7,019,642 to Nelson et al. discloses a process of object monitoring.

USPN 5,485,000 to Schneider discloses a process of object monitoring.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron W. Carter whose telephone number is (571) 272-7445. The examiner can normally be reached on 8am - 4:30 am (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Aaron Carter
AU 2624